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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DOUGLAS VERNON HUDSON,

11 Plaintiff,

12 v.

13 CHARLES W. SCHARF, et al.,

14 Defendants.

CASE NO. C21-5827JLR

ORDER ON MOTION FOR
RELIEF FROM DEADLINE TO
RESPOND TO COMPLAINT

15 Before the court is Defendant Charles W. Scharf's motion for relief from the
16 deadline to respond to Plaintiff Douglas Vernon Hudson's amended complaint. (Mot.
17 (Dkt. # 23).) Mr. Hudson opposes the motion. (Resp. (Dkt. # 26).) The court has
18 considered the parties' submissions, the relevant portions of the record, and the
19 applicable law. Being fully advised, the court GRANTS Mr. Scharf's motion.

20 Mr. Hudson filed this action on November 9, 2021, by filing an application to
21 proceed *in forma pauperis* and a proposed complaint that named as Defendants Mr.
22 Scharf, chief executive officer of Wells Fargo Bank, N.A., and Don Fleming, chief

1 executive officer of Northwest Motorsports. (Proposed Compl. (Dkt. # 1-1).) Exercising
2 its authority under 28 U.S.C. § 1915(e), the court dismissed Mr. Hudson’s proposed
3 complaint with leave to amend. (12/27/21 Order (Dkt. # 7).) Mr. Hudson filed a timely
4 amended complaint on January 10, 2022. (Am. Compl. (Dkt. # 9).) The court dismissed
5 all but one portion of one claim in Mr. Hudson’s amended complaint and directed the
6 Clerk to issue summonses for Mr. Scharf and Mr. Fleming. (1/26/22 (Dkt. # 18) at 8.)
7 Mr. Hudson served Mr. Scharf with a copy of the summons and amended complaint on
8 February 3, 2022. (AOS (Dkt. # 21); Mot. at 2.) Mr. Scharf was obligated to respond to
9 the amended complaint on or before February 24, 2022. *See* Fed. R. Civ. P.
10 12(a)(1)(A)(i). On February 17, 2022, one week before the occurrence of that deadline,
11 he filed the instant motion requesting relief from that deadline and an extension to March
12 28, 2022. (Mot. at 3.)

13 The court may grant relief from a deadline for good cause shown. *See* Fed. R.
14 Civ. P. 6(b). This is Mr. Scharf’s first request for relief from a deadline in this matter and
15 he argues that the extension is necessary to allow his counsel time to review case filings
16 that pre-dated service of the summons and complaint and that it will neither disrupt any
17 scheduled case deadlines nor prejudice Mr. Hudson, who has not alleged a need for
18 immediate relief from impending harm. (*See* Mot. at 2-3.) Mr. Hudson argues that the
19 court should deny the extension because Mr. Scharf has had ample time to review the
20 case materials and because an extension will “exacerbate the burden” he faces. (Resp. at
21 4.)

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1 Given the early stage of this case and the record before the court, the 30-day
2 extension Mr. Scharf requests is reasonable and unlikely to unduly burden Mr. Hudson.
3 Accordingly, the court finds that good cause exists for Mr. Scharf's requested extension
4 and GRANTS his motion (Dkt. # 23). Mr. Scharf shall respond to Mr. Hudson's
5 complaint on or before March 28, 2022.

6 DATED this 1st day of March, 2022.

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JAMES L. ROBART
United States District Judge